

Sentence

Dutch Y.
N.E. 1.

In the name of the Queen!

Not used

The Temporary Court-martial in BANDJERMASIN in the case of the Prosecutor, *ratione officii*, against:

FUJIWARA, Seitaro

aged 40, born in Tottori-ken, chief petty officer,
Japanese Navy.

In view of the order dated 22nd. December 1947 issued by the Prosecutor submitting the case for trial by the Temporary Court-martial in BANDJERMASIN, in which order the accused FUJIWARA Seitaro is charged:

"that he, in BANDJERMASIN in the Netherlands East Indies, in the period from about May 1944 to about October 1944, in any case in the time from March 1942 to August 1945 therefore in time of war, as a subject of the enemy power Japan in or during his function as commandant or sub-commandant, at anyrate as a guard of the civilian internment camps for men and women at the aforesaid place, committed a war crime by, contrary to the laws and customs of war, treating the internees in the said camps badly, overstepping here the limits of a permissible discipline, among other things,

I. in the aforesaid men's internment camp ill-treated the internees J. van OORT, A.M. van der PLOEG and Van DISSEL by, on or about 30th. June 1944, intentionally and forcibly hitting the two first named on the body with a stick, and by beating and kicking Van DISSEL on a date /now during the aforesaid period which cannot be precised.

II. in the aforesaid women's internment camp ill-treated among others the following internees:

a. HUIZINGA, by, on a date during the aforesaid period not now to be precised, intentionally and forcibly hitting her a number of times with a stick on the back and thighs, at anyrate hitting her on the body.

b. E. LANDEMAN-DIEUDONNE, by, on or about 9th July 1944, intentionally and forcibly giving her repeated and successive blows on the back with a stick, at anyrate striking her on the body.

c. B.S.W. BRUINING-BLOCH, by, in or about October or November 1944, intentionally and forcibly punching her on the right cheek, at anyrate in the face, with both or at anyrate one of his fists.

d. A.L. BOUMESTER, by, about the end of 1944, intentionally and forcibly hitting her on the right hip with a stick a certain number of times, at anyrate three times, at anyrate striking her on the body.

e. W.P. KARSTEL-van der WOORD, by, when in or about September she was in bed with erysipelas, hitting her intentionally and forcibly once on the shoulder and once on a leg, at anyrate hitting her on the body.

f. MARGUERITE ANTOINETTE STRIJBOSCH, by, on various dates not now to be precised but all within the aforesaid time, intentionally and forcibly punching her in the face with both or at anyrate one of his fists and also hitting her on the face with a stick, or hitting and punching her on the body:

as a result of which ill-treatments the above persons suffered much pain and some of them had to remain in bed for a number of days or were hindered in carrying on their activities;"

-in-

In view of the summons and writ dated 30th. December 1947 whereby the accused is summoned to appear on Saturday, 10th. January 1948, at the sitting of the Temporary Court-martial holding its session in the Municipal Offices in BANDJERMASIN;

In view of the demand by the Prosecutor, read out and then handed to the Court-martial, to the effect:
that the Temporary Court-martial shall declare the aforesaid

FUJIWARA, Seitaro
guilty of the war crime:

"bad treatment of prisoners "
and on that account sentence him to
"seven years'imprisonment".

In view of that put forward in his defence by the accused and his counsel;

Witnesses' statements.

Van der PLOEG: sworn.

About 30th. June 1944 witness went to the guard with a razor case in order to ask permission to exchange this for cigarettes. The request was refused and he was accused of bribery. He was disciplined. That evening he was again disciplined in connection with the same matter, this time by the accused who hit him with a bit of wood on the back of his head, on his back and on his legs. Having fallen down the beating was continued until he was nearly unconscious.

Van OORT: sworn.

About 30th. June 1944 witness went to the guard with a razor case to get permission to exchange this for cigarettes. The request was refused and he was disciplined. That evening he was thrashed by the accused with an "oelim" (an N.E.I. tree) stick.

ROMEYN: sworn.

Witness saw the ill-treatment of van der PLOEG and van OORT in connection with the offer of a dressing-case for tobacco. After having first been beaten by the guard and a Kempei man they were so beaten by the accused that they fell to the ground.

SCHOOTS: sworn.

Witness saw the ill-treatment of van der PLOEG and van OORT. Witness does not know the reason, but beatings took place for the slightest thing. It was the accused who did it. Van der PLOEG was under doctor's treatment for some weeks after the ill-treatment.

HUIZINGA: sworn.

Witness on two occasions was beaten by the accused with a stick because her hut was not clean. Witness saw that Sister STRIJBOSCH was hit in the face by the accused.

Mrs. E. LANDMAN-DIEUDONNE: sworn.

On 9th. July 1944 in the camp at Bandjermasin witness was disciplined for some twenty minutes by the accused, being hit on the hip and back, because, according to the accused, she had given a rude answer. Her back showed great bruises and she had to remain in bed for three days. The accused refused to let her be medically treated.

-Gerardine-

GERARDINE LANDMAN: sworn.

About July 1944 in the camp in BANDJERMASIN witness' mother was so badly beaten by the accused that her body was blue and swollen in several places. Witness saw the ill-treatment. Her mother was in bed for three days with a temperature and was in great pain.

BRUINING-BLOCH: sworn.

About November 1944 in the camp in BANDJERMASIN witness was knocked to the ground by the accused, this causing her to feel giddy for a while, because she had stood up for a 63 year old sister who had to work in the kitchen.

BOUMESTER: sworn.

Witness was three times struck on her hip by the accused because she had asked for a small bleaching-ground, which was not allowed. The weals ran from the right hip to the right shoulder.

KARSTEL van der WOORD: sworn.

About September 1944 in the camp in BANDJERMASIN witness was in bed with erysipelas and could not appear at roll-call. The accused examined her by the light of a small floating wick lamp and considered her not to be very bad. He thereupon, while she was still lying in bed, hit her with a stick on the shoulder and once on her sore leg, and she had bad blue weals as a result.

Sister STRIJBOSCH: sworn.

Witness does not know whether the brute, accused, had orders to beat, but he several times ill-treated a number of people, among them being Mrs. BRUINING who asked for three old ladies, aged 67, 63 and 52, to be relieved of heavy work. Sister BOUMESTER, without any reason, was beaten by the accused with a stick till this broke and for days she had long blue marks on her body. Witness herself was struck with the fist because she asked for a doctor. In March 1944 she was hit with the fist for no reason at all and in February 1944 she was beaten with a stick.

Mrs. ELBRACHT: sworn.

In the camp in BANDJERMASIN witness saw the accused, a real brute who often used to hit people, hitting other ladies. Witness was not very well looked upon by the other ladies because she did sewing for the Japs.

Considering that the accused, with the exception of the one case of ill-treatment of witness LANDMAN-DIEUDONNE whom he acknowledges having beaten with a bamboo, has in general denied having been guilty of that with which he has been charged, but his denial cannot avail him in view of the string of witnesses statements which all agree with each other;

Considering with regard to the punishment; that accused certainly says that he did his best to help the internees, but even should this be true the Court-~~xxxxx~~ cannot accept this as a grounds for exonerating him nor as an extenuating circumstance;

Considering that several women have called the accused a brute, and rightly so in the Court's opinion for the thrashing of women in the circumstances in which they found themselves, as has been shown by the statements, constitutes a pronounced cruelty and cowardice;

Considering that the witnesses à décharge have stated:

-witness-

Witness HORII: sworn.

that a case was reported to him that accused had a W.C. in the internment camp cleaned out by Indonesian convicts; that it was known in KEIBITAI (district garrison troops) circles that accused advocated a good understanding between the Japanese and the Dutch; that he had never heard or seen that accused beat internees; that witness never had any trouble in any respect with the accused and the latter is a quiet, friendly man;

witness TAKAHASHI: sworn.

that witness knows from hearsay that the accused made every effort to do his work as well as possible; that there was, however, criticism of the accused as a result of which accused had to be replaced; that he himself knew nothing about the accused who was not under his orders; that he never heard that accused carried out ill-treatments, while he did know the accused as being a quiet, serious man;

considering that these statements throw no light on the accused's administration in the internment camps and will further be left out of consideration;

considering that the Court cannot agree with the Prosecutor's demand which stands in no relationship to the suffering inflicted on defenceless women, who, even when old and ill, were not safeguarded from the accused's brutalities, so that the Court is awarding him fifteen years' imprisonment;

Administering the Law:

Declares that with which the accused has been charged legally and convincingly proved:

Declares the accused FUJIWARA, Seitaro, guilty of the war crime:

"Bad treatment of prisoners"

Sentences him on that account to

"Fifteen years' imprisonment".

Sentence passed on 10th January 1948 by

Major Dr. E. RIJCKMANS,
1st. Lieut. H.F. WIEBOLS)
1 st. Lieut. P. BODEMAN)

President

Members

in the presence of

Dr. J.V.M. van KOOT,

Secretary,

and summed up and decreed 15th. January 1948.

noted by me:

The secretary,

S/J.V.M. van KOOT.

The President,

s/E. RIJCKMANS.

Members,

S/ H.F. WIEBOLS

S/ P. BODEMAN.

Fiat of execution of the above sentence granted this day, 10th February 1948, by me A.G. DEELMAN, Resident of South Borneo, in BANDJERMASIN.

The Resident of South Borneo,

S/A.G. DEELMAN

Pronounced at the public sitting of the Temporary Court-martial on 11the February 1948 by Major Dr. E. RIJCKMANS, President and 1st. Lieutenants J.G.H. van der STARP and P. BODEMAN in the presence of Dr. J.V.M. van Koot, Secretary and also Prosecutor, as well as in the presence of the accused.

Noted by me:

the Secretary,
S/ J.V.M. van Koot.

The President,
S/ E. RIJCKMANS.